

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION

DEMETRIUS CORNAE BYNER,)

Plaintiff)

vs.)

Case No. 1:07-cv-02282-RBP-HGD

CALHOUN COUNTY SHERIFF)

LARRY AMERSON, et al.,)

Defendants)

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on December 4, 2009, recommending that the defendants' motion for summary judgment be granted and this cause be dismissed with prejudice. No objections have been filed by any party.

Having carefully reviewed and considered de novo all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and his recommendation is ACCEPTED. The Court EXPRESSLY FINDS that there are no genuine issues of material fact and that the defendants are entitled to judgment as a matter of law. Accordingly, defendants' motion for summary judgment is due to be

GRANTED and this action is due to be DISMISSED WITH PREJUDICE. A Final Judgment will be entered.

DONE this the 4th day of January, 2010.

A handwritten signature in black ink, reading "Robert B. Propst". The signature is written in a cursive, flowing style with a large initial 'R' and a long, sweeping underline.

ROBERT B. PROPST
SENIOR UNITED STATES DISTRICT JUDGE